

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

Civ. No. 12-mc-0115 (JSR)

In re:

MADOFF SECURITIES

**DECLARATION OF OREN J. WARSHAVSKY IN SUPPORT OF THE TRUSTEE'S  
MEMORANDUM OF LAW IN OPPOSITION TO THE ANTECEDENT DEBT  
DEFENDANTS' MOTION TO AMEND OCTOBER 15, 2013 OPINION AND ORDER  
REGARDING ANTECEDENT DEBT ISSUES TO ADD 28 U.S.C. § 1292(b)  
CERTIFICATION FOR INTERLOCUTORY APPEAL**

OREN J. WARSHAVSKY hereby states as follows:

1. I am a partner at the firm of Baker Hostetler LLP, counsel for Irving H. Picard (“Trustee”), trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the estate of Bernard L. Madoff (“Madoff”), individually.

2. I make this declaration to transmit to this Court true and correct copies of documents in connection with the Trustee’s Memorandum of Law in Opposition to the Antecedent Debt Defendants’ Motion to Amend October 15, 2013 Opinion and Order Regarding Antecedent Debt Issues to Add 28 U.S.C. § 1292(b) Certification for Interlocutory Appeal.

3. True and correct copies of the following documents are attached:

Exhibit A: Defendants’ Omnibus Memorandum of Law in Support of Motions to Dismiss, *Picard v. Roman (SIPC v. BLMIS)*, Adv. Pro. No. 10-4292 (BRL) (Bankr. S.D.N.Y. Nov. 1, 2013), ECF No. 36.

Exhibit B: Memorandum of Law in Support of Defendant’s Motion to Dismiss the Amended Complaint, *Picard v. Miller (SIPC v. BLMIS)*, Adv. Pro. No. 10-4921 (BRL) (Bankr. S.D.N.Y. Mar. 22, 2013), ECF No. 25.

Exhibit C: Complaint, *Greiff v. Cahan*, No. 13-21888-CA (Fla. Cir. Ct. June 20, 2013).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 19, 2013.

/s/ Oren J. Warshavsky  
Oren J. Warshavsky